

REMARKS/ARGUMENTS

This Preliminary Amendment is filed concurrently with the above-captioned Application. This Application is a continuation of parent application Ser. No. 10/004,434. This application is amended herewith to claim priority from the parent application. Two other applications also claim priority from the parent application Ser. No. 10/004,434: (1) Ser. No. 10/000,829, filed October 31, 2001 is a continuation of the parent; and (2) Ser. No. 10/442,445, filed May 21, 2003 is a continuation of the continuation Ser. No. 10/000,829.

The parent application is the subject of a Notice of Allowance mailed July 28, 2003. Application Ser. No. 10/000,829 is the subject of a Notice of Allowance mailed April 22, 2003. Both the parent and prior continuation were examined by Examiner Charles W. Stewart, Jr. Application Ser. No. 10/442,445 is currently pending.

Allowability of Claims:

Applicants respectfully submit that the pending claims, as amended, are allowable. Claims 1-9, 11-16 and 29-35 are not unpatentable for the reasons suggested in an Office Action in the parent application. Amended Claim 10 is not indefinite. New Claim 41 is fully supported in the Specification and is not unpatentable over the references cited in the parent application.

Claims 1-16 and 29-35:

In an Office Action mailed July 3, 2002 in the parent of this continuation application, Ser. No. 10/004,434, the Examiner rejected Claims 1-9, 11-16 and 29-35 as allegedly being unpatentably obvious over US 6,019,454 (Serra) in view of US 5,600,350 (Cobbs) and further in view of US 5,798,773 (Hiramatsu). In addition, the Examiner objected to Claim 10 as allegedly being indefinite.

Amended Claim 10 is Not Indefinite:

Claim 10 has been amended. Applicants respectfully submit that Amended Claim 10 is not indefinite. Applicants respectfully request that the Examiner place Claim 10 withdraw the objection.

Claims 1-9, 11-16 and 29-35 are Not Obvious:

Applicants respectfully submit that Claims 1-9, 11-16 and 29-35 are not invalid as obvious over Serra in view of Cobbs and further in view of Hiramatsu.

Claims 1-9, 11-16:

In the Office Action in the parent case, the Examiner stated with respect to Claims 1-9, that Serra allegedly discloses at least first and second fiducial reference points and that Cobb allegedly teaches a fiducial reference point sensor. The Examiner also stated that it would have been obvious to incorporate the invention of Serra in view of Hiramatsu into the invention of Cobbs.

Applicants respectfully disagree. None of Serra, Cobbs and/or Hiramatsu, alone or in combination, disclose, teach or suggest at least the following limitations of Claims 1-9 and 11-16:

“at least first and second indicia sensors carried by the movable print device in spaced relation to one another.”

Claim 1. Each of Claims 2-9 and 11-16 include additional limitations which serve to distinguish the claims further over the cited references.

Claims 29-35:

With respect to Claims 29-35, the Examiner stated that Cobbs allegedly discloses first and second cooperative elements comprising first and second reflectors

None of Serra, Cobbs and/or Hiramatsu, alone or in combination, disclose, teach or suggest at least the following limitations of Claims 29-35:

“a position sensing device independently sensing a position of at least first and second predetermined locations on the movable print device.

Claim 29. Claims 30-35 each include additional limitations which serve to further distinguish the claims from the cited references.

New Claim 41:

Applicants respectfully submit that new claim 41 is fully supported in the Specification, at least at page 5, line 15 through page 7, line 11.

Claim Amendments:

Applicants respectfully submit that the claims amendments herein are fully supported in the specification and are made without prejudice and without disclaiming or waiving any subject matter.

CONCLUSION

Applicants respectfully request that the Examiner enter the amendments and place amended Claims 1-16 and 29-35 and New Claim 41 in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter Reitan', enclosed within a large, loopy oval shape.

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